

022704
17236 U.S. PTO

ATTORNEY DOCKET NO. 82274.95
Customer No. 24347

TRANSMITTAL OF CONTINUATION
PATENT APPLICATION

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Express Mail Certificate Under 37 C.F.R. § 1.10
"EXPRESS MAIL" MAILING LABEL NUMBER: EV 316158101 US
DATE OF DEPOSIT: February 27, 2004

I, Ryan S. Loveless, hereby certify that this paper (along with any papers and fees referred to as being attached or enclosed or actually enclosed) is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. § 1.10 on the date indicated above, with sufficient postage, and is addressed as follows:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Ryan S. Loveless
Signature of person mailing paper

In re Application of: G. Douglas Meegan, Jr.

Serial No.: Not Assigned
Prior Serial No.: 10/133,825

Filing Date: February 27, 2004
Prior Filing Date: April 26, 2002

Group Art Unit: Not Assigned
Prior Group Art Unit: 1724

Examiner: Not Assigned
Prior Examiner: Robert A. Hopkins

For: **Modulated Acoustic Agglomeration
System and Method**

MAIL STOP PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF CONTINUATION PATENT APPLICATION
UNDER 37 C.F.R. 1.53(b) AND FEE CALCULATION SHEET**

Sir:

Transmitted herewith for filing is the patent application of:

Inventor: G. Douglas Meegan, Jr.

10/788755
19270 U.S. PTO

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For:

***Modulated Acoustic Agglomeration
System and Method***

Enclosed are:

- a postcard acknowledgment of receipt of papers by the Patent Office.
- a specification of 42 pages (including disclosure, Claims 1-88 and an abstract of the disclosure), which is a new specification and claims, but includes no matter that would have been new matter in the above-identified prior application;
- One set of formal drawings, consisting of 3 sheets of drawings (Figures 1-11);
- Continuation Application Remarks;
- Declaration and Power of Attorney;
- a Recordation Form Cover Sheet for recording Assignment; and
- a copy of the Assignment filed in the parent case.

Please return the acknowledgment postcard.

The filing fee has been calculated as shown below:

LARGE ENTITY

FOR	NO. FILED	NO. EXTRA	RATE	FEE
BASIC FEE			\$ 770.00	\$ 770.00
TOTAL CLAIMS	88 - 20	68	\$ 18.00	\$ 1,224.00
INDEP. CLAIMS	7 - 3	4	\$ 86.00	\$ 344.00
MULTIPLE DEPENDENT CLAIMS = 0			\$ 290.00	\$ 0.00
			TOTAL	\$ 2,338.00

The Commissioner is authorized to debit \$2,338.00 for the filing fee for the continuation patent application along with a \$40.00 assignment recordation fee for a total of \$2,378.00 from Deposit Account No. 23-3189 of Hunton & Williams (Dallas) and reference Attorney Docket No. 82274.95. No additional fees are believed to be required in connection with these filings. To the extent that any further fees, whatsoever, are required at any time during prosecution of this application, including petition and extension fees, the Commissioner is hereby authorized to charge payment of any additional fees, including any under 37 C.F.R. § 1.16 or 37 C.F.R. § 1.17, to the above-referenced Deposit Account. Please credit any overpayments to this same Deposit Account.

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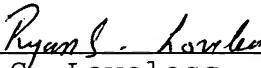
TRANSMITTAL OF CONTINUATION
PATENT APPLICATION

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**Please direct all correspondence to the practitioner listed
below at Customer No. 24347.**

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Respectfully submitted,



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ATTORNEY FOR APPLICANT

February 27, 2004

ATTORNEY DOCKET NO. 82274.95
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CONTINUATION APPLICATION
REMARKS

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CONTINUATION APPLICATION REMARKS

Dear Sir:

This continuation patent application is filed with a new specification, claims and formal drawings to ensure accurate

publication of the continuation patent application. The new specification, claims and drawings include no matter that would have been considered new matter in the above-referenced prior application.

CLAIM REMARKS

This application claims priority to United States Application Serial No. 10/133,825, filed on April 26, 2002 (hereinafter the "Parent Application"). In the Application, seven independent claims are being made: Independent Claims 1, 21, 43, 52, 59, 66, and 88. With examination of these independent claims and the claims, depending thereon, the Applicant respectfully requests consideration of the below remarks.

Independent Claim 1 recites in part, "wherein the acoustic generator is operable to generate a frequency modulated acoustic field." (emphasis added). With Independent Claim 1 in mind, the Applicant directs the Examiner to statements made in an Office Action of the Parent Application, mailed May 7, 2003:

At page 9

"It would not have been obvious to someone of ordinary skill in the art at the time of the invention to provide a frequency modulable acoustic field because Stuckart does not suggest such a modification."

At the end of page 13, beginning of page 14

"It would not have been obvious to someone of ordinary skill in the art at the time of the invention to provide a step of frequency modulating the acoustic field to cause the constituent to agglomerate because neither Stuckart nor Gallego Juarez et al suggest such a modification."

Independent Claim 21 recites in part, "wherein the acoustic generator is operable to generate a modulated acoustic field to enhance agglomeration of the constituents in the gas." (emphasis added). With Independent Claim 21 in mind, the Applicant directs the Examiner to statements made in the Office Action of the Parent Application, mailed May 7, 2003:

At page 9

"It would not have been obvious to someone of ordinary skill in the art at the time of the invention to provide the fluid as a gas because Stuckart does not suggest such a modification."

At page 10

"It would not have been obvious to someone of ordinary skill in the art at the time of the invention to provide the fluid as a gas because Stuckart does not suggest such a modification."

Independent Claim 43 recites in part, "the acoustic generator is operable to generate an acoustic field to enhance agglomeration of the constituents in the fluid in the open area." (emphasis added). With Independent Claim 43 in mind, the Applicant directs the Examiner to statements made in the Office Action of the Parent Application, mailed May 7, 2003:

At page 9

"It would not have been obvious to someone of ordinary skill in the art at the time of the invention to provide the fluid in an open area because Stuckart does not suggest such a modification."

At page 11

"It would not have been obvious to someone of ordinary skill in the art at the time of the invention to provide the fluid in an open area because Gallego Juarez et al does not suggest such a modification."

Independent Claim 59 recites in part, "the acoustic generator applies the acoustic field to the area at an angle arbitrary to a direction of the fluid flow." (emphasis added). With Independent Claim 59 in mind, the Applicant directs the Examiner to statements made in the Office Action of the Parent Application, mailed May 7, 2003:

At page 10

"It would not have been obvious to someone of ordinary skill in the art at the time of the invention to apply an acoustic field in a direction angularly arbitrary to a direction of flow because Stuckart does not suggest such a modification."

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CONTINUATION APPLICATION
REMARKS

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CONCLUSION

To the extent that any further fees, whatsoever, are required at any time during the prosecution of this application, including any petition and extension fees, the Commissioner is hereby authorized to charge payment of any additional fees, including, without limitation, any fees under 37 C.F.R. § 1.16 or 37 C.F.R. § 1.17, to Deposit Account No. 23-3189 of Hunton & Williams (Dallas) and reference Attorney Docket No. 82274.95. Please credit any overpayments to this same Deposit Account.

Respectfully submitted,

Ryan S. Loveless

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